

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE HONORABLE OTTO J. REICH, and
OTTO REICH ASSOCIATES, LLC,

Plaintiffs,

v.

LEOPOLDO ALEJANDRO BETANCOURT
LOPEZ, et al.,

Defendants.

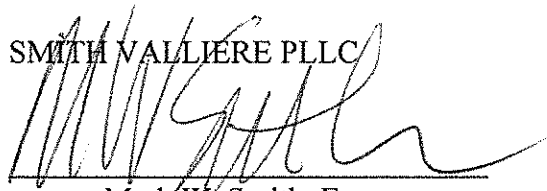
Civ. No. 13 CV 5307 (JPO)
ECF CASE

**NOTICE OF SETTLEMENT WITH
CORRECTED PROPOSED JUDGMENT**

PLEASE TAKE NOTICE that a final judgment of which the within is a copy will be presented to the Honorable J. Paul Oetken, Judge of the United States District Court for the Southern District of New York, at the United States Courthouse, 40 Foley Square, New York, New York, on the 25th day of January, 2016.

New York, New York
January 18, 2016

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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

THE HONORABLE OTTO J. REICH, and)	
OTTO REICH ASSOCIATES, LLC,)	
)	Civ. No. 13 CV 5307 (JPO)
Plaintiffs,)	ECF CASE
)	
v.)	
)	<u>JUDGMENT</u>
LEOPOLDO ALEJANDRO BETANCOURT)	
LOPEZ, et al.,)	
)	
Defendants.)	

WHEREAS, on February 28, 2014, defendants moved to dismiss Plaintiffs' First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(6), and defendants Leopoldo Alejandro Betancourt Lopez ("Betancourt") and Pedro Jose Trebbau Lopez ("Trebbau") moved to dismiss Plaintiffs' First Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(2);

WHEREAS, the matter having come before the Honorable J. Paul Oetken, United States District Court Judge, and on August 18, 2014, the Court rendered its Opinion and Order granting defendants' motion to dismiss Plaintiffs' RICO and conspiracy claims, denying defendant Betancourt's and Trebbau's motions to dismiss for lack of personal jurisdiction, and granting Plaintiffs' request to take jurisdictional discovery of defendants Betancourt and Trebbau;

WHEREAS, on September 2, 2014, Plaintiffs filed a motion for partial reconsideration or, in the alternative, for certification for interlocutory appeal pursuant to 28 U.S.C. § 1292(b) of the Court's August 18, 2014 Opinion and Order;

WHEREAS, the matter having come before the Honorable J. Paul Oetken, United States District Court Judge, and on April 13, 2015, the Court rendered its Opinion and Order denying Plaintiffs' motion for partial reconsideration or, in the alternative, for certification for interlocutory appeal of the Court's August 18, 2014 Opinion and Order;

WHEREAS, on December 23, 2014, defendants Betancourt and Trebbau filed renewed motions to dismiss Plaintiffs' First Amended Complaint for lack of personal jurisdiction pursuant to Fed. R. Civ. P. 12(b)(2);

WHEREAS, the matter having come before the Honorable J. Paul Oetken, United States District Court Judge, and on April 30, 2015, the Court rendered its Opinion and Order granting defendants' motions and dismissing the action as against defendants Betancourt and Trebbau pursuant to Fed. R. Civ. P. 12(b)(2);

WHEREAS, on May 14, 2015, Plaintiffs filed a motion for reconsideration or, in the alternative, for certification for interlocutory appeal pursuant to 28 U.S.C. § 1292(b) of the Court's April 30, 2015 Opinion and Order;

WHEREAS, the matter having come before the Honorable J. Paul Oetken, United States District Court Judge, and on August 5, 2015, the Court rendered its Order denying Plaintiffs' motion for reconsideration or, in the alternative, for certification for interlocutory appeal of the Court's April 30, 2015 Opinion and Order;

WHEREAS, on April 27, 2015, Plaintiffs filed a motion pursuant to Fed. R. Civ. P. 15(a)(2) for leave to file a Second Amended Complaint for the purpose of addressing the alleged deficiencies in Plaintiffs' RICO claims that were identified by the Court in its August 18, 2014 Opinion and Order and its April 13, 2015 Opinion and Order;

WHEREAS, the matter having come before the Honorable J. Paul Oetken, United States District Court Judge, and on October 9, 2015, the Court rendered its Order denying Plaintiffs' motion for leave to file a Second Amended Complaint; and

WHEREAS, the Court, on January 4, 2016 so ordered a Stipulation and Order of Dismissal, which was entered on the docket on January 5, 2016; it is

ORDERED, ADJUDGED AND DECREED: that for the reasons stated, *inter alia*, in the Court's Opinions and Orders dated August 18, 2014, April 13, 2015 and April 30, 2015, its Orders dated August 5, 2015 and October 9, 2015, and the Stipulation and Order of Dismissal so ordered on January 4, 2016, the case is closed.

Dated: New York, New York
January 18, 2016

BY: